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13  
14 UNITED STATES DISTRICT COURT  
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16 NORTHERN DISTRICT OF CALIFORNIA  
17  
18 SAN FRANCISCO DIVISION

19 RAEF LAWSON, in his capacity as Private  
20 Attorney General Representative,

21 Plaintiffs,

22 v.

23 GRUBHUB HOLDINGS INC. and  
24 GRUBHUB INC.,

25 Defendants.

26 CASE NO. 3:15-cv-05128-JSC

27 **JOINT CASE MANAGEMENT  
28 STATEMENT**

**Conference:**

Date: November 7, 2024  
Time: 1:30 p.m.  
Place: Courtroom 8

Judge: Hon. Jacqueline Scott Corley  
Action Filed: September 23, 2015  
Trial Date: March 3, 2025

1 Plaintiff Raef Lawson, in his capacity as Private Attorney General Representative (“Plaintiff”  
 2 or “Lawson”), and Defendants Grubhub Holdings Inc. and Grubhub Inc. (collectively, “Defendants”  
 3 or “Grubhub”) (jointly, the “parties”), by and through their respective counsel of record, hereby submit  
 4 the following Joint Case Management Statement in advance of the Further Case Management  
 5 Conference scheduled in this matter for November 7, 2024.

6 **I. DISCOVERY AND DATA ANALYSIS**

7 In January 2024, the Court directed Grubhub to produce wage-and-hour data for Delivery  
 8 Partners from December 3, 2014, through December 15, 2020. Dkt. 368 at 39:12–17. The Court also  
 9 requested that the parties estimate “the number of violations” without regard to the applicability of the  
 10 business-to-business exemption. *Id.* at 36:1–11.

11 In April 2024, without waiver of its right to supplement its data production, Grubhub produced  
 12 more than nine gigabytes of data showing scheduled block hours, pay, and time spent performing  
 13 deliveries for each Delivery Partner in California for each day. The production also contained more  
 14 granular offer and order data comprising more than 99 million entries. The parties have worked  
 15 together diligently to analyze the voluminous data that Grubhub has produced over a six-year span.  
 16 The parties are continuing to confer regarding the data and clarifying the areas where they can find  
 17 agreement and areas where there may be disputes to present to the Court. The parties intend to complete  
 18 this process by the time trial plans are due on November 21, and will provide an update on the status  
 19 of the data discussions at the same time that trial plans are submitted.

20 **II. SETTLEMENT AND ADR**

21 After the parties submitted their joint notice of mediator selection to the Court (Dkt. 391), they  
 22 engaged Tripper Ortman to help mediate the case and participated in a mediation session on September  
 23 13, 2024. Settlement discussions among the parties and Mr. Ortman have continued through the week  
 24 of October 28, but the parties have not been able to reach a settlement.

25 **III. SCHEDULING**

26 Pursuant to the Court’s Order Following July 11, 2024 Case Management Conference (Dkt.  
 27 384 at 1), the parties are preparing proposed trial plans to be filed on November 21, 2024. The parties  
 28 propose a simultaneous submission of trial plans on November 21, followed by responsive briefs on

1 December 5, and setting a subsequent Case Management Conference for January 9, 2025, to discuss  
2 the trial plan and related issues.

3  
4 Dated: October 31, 2024

Respectfully submitted,

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6 LICHTEL & LISS-RIORDAN, P.C.  
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By: /s/ Shannon Liss-Riordan  
Shannon Liss-Riordan

8 Attorneys for Plaintiff RAEF LAWSON  
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10 GIBSON, DUNN & CRUTCHER LLP  
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By: /s/ Theane Evangelis  
Theane Evangelis

13 Attorneys for Defendants GRUBHUB HOLDINGS  
14 INC. and GRUBHUB INC.  
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**ECF ATTESTATION**

Pursuant to Civil Local Rule 5-1(h)(3) of the Northern District of California, I attest that concurrence in the filing of the document has been obtained from each of the other signatories to this document.

Dated: October 31, 2024

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Theane Evangelis  
Theane Evangelis

Attorneys for Defendants GRUBHUB HOLDINGS INC. and GRUBHUB INC.